

STATE OF MISSISSIPPI, COUNTY OF WASHINGTON

I, Barbara Esters-Parker, Clerk of the Circuit Court in and for said County and State hereby certify that the foregoing contains a whole, true and correct copy of 2023-0180 CO Wade vs City of Greenville as the same appears on file in my office, at Greenville, Mississippi.

Witness my hand and official Seal,

this the 23rd day of May A.D., 2023

Barbara Esters-Parker

Clerk of the Circuit Court of Washington County, Mississippi

By C. Parker D.C.



Case: 76CO1:23-cv-00180 Document #: 2 Filed: 05/02/2023 Page 1 of 1

COVER SHEET Civil Case Filing Form (To be completed by Attorney/Party Prior to Filing of Pleading)		Court Identification Docket # 701 CO County # Judicial Court ID District (CH, CI, CO) 050223 Month Date Year	Case Year 2023	Docket Number 0180 Local Docket ID				
Mississippi Supreme Court Administrative Office of Courts (Rev 2020)	Form AOC/01	This area to be completed by clerk						
In the _____ Court of _____ County _____ Judicial District _____								
Origin of Suit (Place an "X" in one box only) <input type="checkbox"/> Initial Filing <input type="checkbox"/> Reinstituted <input type="checkbox"/> Remanded <input type="checkbox"/> Reopened <input type="checkbox"/> Foreign Judgment Enrolled <input type="checkbox"/> Joining Suit/Action <input type="checkbox"/> Transfer from Other court <input type="checkbox"/> Appeal <input type="checkbox"/> Other								
Plaintiff - Party(ies) Initially Bringing Suit Should Be Entered First - Enter Additional Plaintiffs on Separate Form Individual <u>Wade</u> Last Name <u>Eric</u> First Name <u></u> Maiden Name, if applicable _____ M.I. _____ Jr/Sr/III/IV _____ <input type="checkbox"/> Check (x) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style: Estate of _____ <input type="checkbox"/> Check (x) if Individual Plaintiff is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity: D/B/A or Agency _____								
Business _____ Enter legal name of business, corporation, partnership, agency - If Corporation, indicate the state where incorporated <input type="checkbox"/> Check (x) if Business Plaintiff is filing suit in the name of an entity other than the above, and enter below: D/B/A <u>Greenville Police Dept</u>								
Address of Plaintiff _____ Attorney (Name & Address) _____ MS Bar No. _____ <input type="checkbox"/> Check (x) if Individual Filing Initial Pleading is NOT an attorney Signature of Individual Filing: <u>Barbara Esters-Parker</u> Received & Filed MAY 02 2023								
Defendant - Name of Defendant - Enter Additional Defendants on Separate Form Individual <u>Greenville Police Dept</u> Last Name <u></u> First Name <u></u> Maiden Name, if applicable _____ M.I. _____ Jr/Sr/III/IV _____ <input type="checkbox"/> Check (x) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style: Estate of _____ <input type="checkbox"/> Check (x) if Individual Defendant is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity: D/B/A or Agency _____								
Business _____ Enter legal name of business, corporation, partnership, agency - If Corporation, indicate the state where incorporated <input type="checkbox"/> Check (x) if Business Defendant is acting in the name of an entity other than the above, and enter below: D/B/A								
Attorney (Name & Address) - If Known MS Bar No. _____ <input type="checkbox"/> Check (x) If child support is contemplated as an issue in this suit. <small>*If checked, please submit completed Child Support Information Sheet with this Cover Sheet</small>								
<table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%; padding: 5px;"> Nature of Suit (Place an "X" in one box only) <div style="border: 1px solid black; padding: 2px; display: inline-block;"> <input type="checkbox"/> Domestic Relations <input type="checkbox"/> Child Custody/Visitation <input type="checkbox"/> Child Support <input type="checkbox"/> Contempt <input type="checkbox"/> Divorce:Fault <input type="checkbox"/> Divorce: Irreconcilable Diff. <input type="checkbox"/> Domestic Abuse <input type="checkbox"/> Emancipation <input type="checkbox"/> Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Property Division <input type="checkbox"/> Separate Maintenance <input type="checkbox"/> Term. of Parental Rights-Chancery <input type="checkbox"/> UIFSA (eff 7/1/97; formerly URESA) <input type="checkbox"/> Other </div> <div style="border: 1px solid black; padding: 2px; display: inline-block;"> <input type="checkbox"/> Appeals <input type="checkbox"/> Administrative Agency <input type="checkbox"/> County Court <input type="checkbox"/> Hardship Petition (Driver License) <input type="checkbox"/> Justice Court <input type="checkbox"/> MS Dept Employment Security <input type="checkbox"/> Municipal Court <input type="checkbox"/> Other </div> </td> <td style="width: 25%; 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11/03/2017 13:26 washington co youth court

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FA016623342796

P.001/002

JUDGE VERNITA KING JOHNSON
WASHINGTON COUNTY COURT

PRO SE LITIGANT INFORMATION SHEET

(Please Print)

NAME: Eric Wade, Yvette Toy
ADDRESS: 1430 Kirby Street

SSN: (LAST 4 DIGITS ONLY) 8391

CONTACT PHONE: 609 580-6878 **CELL:** 602 522-2705

EMAIL ADDRESS

ALTERNATE

CONTACT

PHONE-

PLACE OF EMPLOYMENT:

WORK TELEPHONE: _____

I certify that the above information is correct and I understand that I am responsible for notifying the clerk's office in writing at Post Office Box 1276, Greenville, MS 38702 of any changes in address and/or cell phone. I also understand if my court notice is returned due to an address change and I failed to provide same to the clerks/court, my case will be dismissed.

SIGNATURE: John Wall **DATE:** 10/10/2019

CC: Clerk's Office

Received & Filed

MAY 02 2023

Barbara Esters-Parker

By: *John* D.C.

Case: 76CO1:23-cv-00180 Document #: 5 Filed: 05/02/2023 Page 2 of 2
11/03/2017 13:27 Washington co youth court (FAX)16623342798 P.002/002

IN THE COUNTY COURT OF WASHINGTON COUNTY, MISSISSIPPI

Eric Wade/Yvette Toy

PLAINTIFF(S)

VERSUS

G'ville Police Dept

CAUSE NO: 2023-0180 CO

DEFENDANT(S)

I, Eric Wade/Yvette Toy, have been advised by the Court of the following police and philosophy of Judge Vernita King Johnson with regard to Pro Se Litigants (i.e. self- representation):

- 1) I have the right to represent myself pursuant to Miss Const. Art III Section 25.
- 2) The court strongly urged me to secure an attorney and further advised a continuance will not be granted on the day of trial for me to secure an attorney.
- 3) I am expected to follow and adhere to the rules of evidence, law, and procedure. I am also to respect the courtroom decorum. The Court will not relax or disregard the rules of evidence, procedure, or courtroom protocol.
- 4) The role of the court (i.e. Judge) is not to act as my legal advisor or counsel.
THE COURT CANNOT AND WILL NOT GIVE LEGAL ADVICE.
- 5) I understand that I am responsible for notifying the Clerk's office in writing at Post Office Box 1276, Greenville, MS 38702 of any change in address and/or cell phone. I understand if my court notice is returned due to an address change and I did not provide to the clerks/court, my case will be dismissed.
- 6) All litigants, with or without counsel, will be treated fairly and respectfully.

After having read the above admonitions, policies, and philosophy of the Court, I, _____, hereby acknowledge that I understand and still wish to proceed as a pro se litigant (i.e. represent myself) and waive any and all rights to secure counsel, but may do so prior to my trial date.

PRO SE LITIGANT

DATE

IN THE COUNTY COURT OF WASHINGTON COUNTY MISSISSIPPI

Eric Wade & Yvette Toy
Plaintiff

vs.

Greenville, Police Department
Defendant

Action No. 2023-0180 COCOMPLAINT

1. The plaintiff's name, address, and telephone number are:

Name: Eric Wade & Yvette Toy 662-580-6878, 662 500-2705
 Address: 1430 Irby Street
 City, State, & Zip: Greenville, MS 38701
 Telephone Number: 662-580-6878, 662 500-2705

2. The defendant(s)' name, address, and telephone number are:

Name: Marcus Turner
 Address: 216 Main St
 City, State, & Zip: Greenville, MS 38701
 Telephone Number: 662 378-1515

3. The defendant (s) is indebted to the plaintiff in the amount of: \$ 3.5 million dollars

4. The basis for plaintiff's claim against the defendant (s) is: (state why you claim the defendant (s) owes you money and/or other items that you are seeking. Attach additional sheet(s) and copies of documents, if necessary.)

I Eric Wade and Yvette Toy are suing
the Greenville Police Department for
misconduct, assault and battery, and false charges
and violating our rights on Sept 14, 2023.

5. The demand from Defendant(s) plus court costs is: _____

Received & Filed

MAY 02 2023

Barbara Esters-Parker

By: C. Baker D.C.Signature: Eric Wade & Yvette ToyPrint name: Eric Wade & Yvette Toy

Case: 76CO1:23-cv-00180 Document #: 3 Filed: 05/02/2023 Page 2 of 4

Incident Report #22049236



GREENVILLE POLICE DEPARTMENT
 216 MAIN STREET
 GREENVILLE, MS 38701
 ORI-MS0760100
 PHONE# 662-378-1515
 FAX# 662-378-9513

Event Info

Date Reported	Time Reported	Time Dispatched	Time Arrived	Time Completed
09/14/2022	17:42	17:47	17:47	18:18
Addr. of Occ.	City	Zipcode	Date Occ. Range	Time Occ. Range
1430 IRBY ST	GREENVILLE	38701	09/14/2022 - 09/14/2022	17:15 - 17:35

Classification Completed

Class	Subclass
ASSAULT	Simple Assault

Arrested Person

Name Type	Name		Address	City	State	Zip
Arrestee	JUNG, JARVIS		687 METCALFE RD	GREENVILLE	MS	38703
Sex	Race	EO	Height	Weight	Hair	Eyes
M	BLACK	UNKNOWN	511	175	BLK	BRO

Charges

Charge Code	Charge Description	Charge Dispo
97-3-7(1)(a)(i)	SIMPLE ASSAULT - CAUSING BODILY INJURY	PENDING

Suspect

Name Type	Name		Address	City	State	Zip
Suspect	JUNG, JARVIS		687 METCALFE RD	GREENVILLE	MS	38703
Sex	Race	EO	Height	Weight	Hair	Eyes
M	BLACK	UNKNOWN	511	175	BLK	BRO

Victim

Name Type	Name	Address	City	State	Zip
Victim	TOY, YVETTE	1232 W. COTTON DR.	GREENVILLE	MS	38701
Sex	Race	EO	Hair	Eyes	
F	BLACK	NON-HISPANIC	BLK	BRO	

Victim

Name Type	Name		Address	City	State	Zip
Victim	WADE, ERIC		1430 IRBY STREET	GREENVILLE	MS	38701
Sex	Race	EO	Height	Weight	Hair	Eyes
M	BLACK	NON-HISPANIC	508	170	BLK	BRO

Narrative

Written By	Date Written
BURDEN, JAY	09/14/2022

On Wednesday, September 14, 2022, at approximately 1747 hours, Officer J. Burden was dispatched to 1430 Ibry

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St. in reference to assisting Officer Jung and Sgt. Surf. Once on scene, Sgt. Surf and Officer Jung were speaking with Mr. Eric Wade and Ms. Yvette Toy. Sgt. Surf advised Mr. Wade and Ms. Toy that the vehicle parked in front of 1431 Irby St. was not blocking the roadway. As officers were walking off to clear the call, a gray in color vehicle pulled up on the scene. Mr. Jarvis Jung jumped out of the vehicle and was heading toward Mr. Wade in a fighting motion. Mr. Wade took off running from Mr. Jung to avoid the fight. Mr. Jung chased up behind Mr. Wade and grabbed him by his t-shirt. While Mr. Jung was holding Mr. Wade, Mr. Jung struck Mr. Wade several times before Officer Burden separated them.

While Mr. Jung was detained, Mr. Jung honked up some spit and spit in Ms. Toy's face. At that time Officer Burden placed Mr. Jung in the back of his patrol car due to both Mr. Wade and Ms. Toy wishing to pursue charges. At this time there is no further information given.

Supplemental Narrative

Written By	Date Written
BURDEN, JAY	09/14/2022

On 09-14-2022 Wednesday at 1747 hours, I Sergeant Chris Surf responded to 1430 Irby requested by Officer S. Jung in reference to an irate subject. Ofc. Jung stated it was the same man that she has had prior issues with. Sgt. Surf was familiar with Eric Wade. Wade has a history of being very irate, not listening, over talking, and not comprehending simple facts. Wade has had issues with all his surrounding neighbors of him complaining and attempting to control the positions of the garbage cans and where people park on the city street. Wade displays many mental instabilities of outward anger and verbal language outbursts. Today Wade was complaining of a truck connected to a utility trailer parked on the opposite side of the street across from his residence. Wade was informed the truck and trailer were parked correctly. Actually the two vehicles were off in the grass to further position the vehicles off the roadway. The vehicles belonged to the landlord of Ofc. Jung where Ofc. Jung resides directly across the street from 1430 Irby. Wade was even more irate when he was informed of no crime was committed. Wade has a long history of verbal threatening abuse towards Ofc. Jung who has a pending current threatening charge against Wade.

A vehicle pulled up where Ofc. Jung's brother Jarvis Jung and their mother exited the vehicle. Jarvis attacked Wade and hit him with his hands. Ofc. J. Burden took control of him. Jarvis spit on Wade's wife Yvette Toy while Ofc. Burden was holding him back. Wade grabbed a long wooden stick and was going towards to attack Jarvis. Ofc. Jung and Sgt. Surf stopped that action by pulling their tasers out. Sgt. Surf yelled taser taser taser three times to warn Wade to drop the stick, put you're hands behind you're back and to get on the ground. Wade complied and was handcuffed. He was separated and detained to the rear seat of Ofc. Jung's unit. Ofc. Burden had handcuffed Jarvis and detained him in his unit. Sgt. Surf had handcuffed and detained Ofc. Jung's mother and put her in his unit to separate so all parties could cool down. Jarvis was arrested for assault on hitting Wade and for spitting on Wade's wife Yvette Toy. Ofc. Jung's mother was released. Wade and Toy came to GPD to sign charges. Yvette Toy had an outstanding warrant for domestic abuse and was arrested.

Supplemental Narrative

Written By	Date Written
JUNG, SHARDAE	09/14/2022

On Wednesday September 14, 2022 at approximately 1747 hours I, Officer Jung was dispatched to 1430 Irby Street in reference to a neighbor problem. Once on scene Mr. Eric Wade was stating that I needed to tell my landlord at 1431 Irby Street that he can not park on the opposite side of the roadway from his residence. I stated to Mr. Wade that my landlord hasn't broke any laws. Mr. Wade became very irate and started threatening to bust out windows. I called for more units and Sgt. Surf and Ofc. Burden arrived on scene. Sgt. Surf advised Mr. Wade that Mr. McIntire (landlord) had not broken any laws. Mr. Wade didn't want to listen to Sgt. Surf and was talking loudly. Sgt. Surf and myself started walking towards our vehicles to leave the scene and my mom Ms. Monica Norman and my brother Mr. Jarvis Jung pulled up on scene. Jarvis and Mr. Wade got into a physical altercation. Monica and Ms. Toy was having a verbal altercation. Sgt. Surf placed Monica in handcuffs and placed her in the back of his vehicle until she calmed down. Monica was released and Jarvis was taken into custody. Myself and Mr.

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Wade has a previous history of incidents. I am pursuing charges against Mr. Wade for a previous incident. Mr. Wade has been altercations with multiple of our neighbors and has a history of being highly intoxicated. At this time there is no further information given.

Case Management

Initial Investigator	Report Status	Approved By	Date Approved
BURDEN, JAY	Approved	GALLOWAY, GARY	09/14/2022 22:39

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IN THE COUNTY COURT OF WASHINGTON COUNTY, MISSISSIPPI

Eric Wade & Yvette Toy
vs.
Gidde Police Dept.

PLAINTIFF

CAUSE NO. 2023-0180 CO

DEFENDANT

SUMMONS

TO THE SHERIFF OR PROCESS SERVER:
YOU ARE COMMANDED TO SERVE:

Marcus Turner
216 Main Street
Greenville, MS

NOTICE TO DEFENDANT



THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

UNLESS YOU DISPUTE THE VAILIDITY OF THE COMPLAINT WITHIN THIRTY (30) DAYS FROM THE RECEIPT OF THIS NOTICE THE COMPLAINT WILL BE PRESUMED TO BE VALID.

You are required to mail or hand-deliver a copy of the written response to the Complaint to Washington Co. Circuit Clerk office. Your response must

(your name and address)

be delivered within thirty (30) days from the date of delivery of the Complaint or a Judgment by Default will be entered against you for the money or other things demanded in the Complaint.

You must also file the original of the response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and seal of said Court this 2nd day of May 2019.

Barbara Esters Parker, Circuit Clerk
CIRCUIT COURT OF WASHINGTON
PO BOX 1276
GREENVILLE, MS 38702-1276

By: C. Parker D.C.



5.17.2023 11:13 p.m.
Lori M. Parker

Case: 76CO1:23-cv-00180 Document #: 6 Filed: 05/22/2023 Page 2 of 2

Received & Filed

MAY 22 2023

Barbara Esters-Parker

By: C. Parker D.C.

Return address: (None) - Unclaimed

Marcus Turner

Delivery to: A. Johnson (Secretary)

While Mr. Turner was on the phone -

copy of this will

5/17/23 : Time 12:13 p.m.

The above date, : Time

The, the 17th day of May 2023

By Milton Esters, Sr. SHERIFF

Washington County, MS

By J. Bracken Deputy Sheriff

FEE BILL , CIRCUIT COURT
MISCELLANEOUS

Receipt No. 331096
 AR Account 0

STATE OF MISSISSIPPI
 WASHINGTON COUNTY
 CAUSE NO. 2023-0180 CO

For: ERIC WADE VS. CITY OF GREENVILLE

COPIES-CIVIL	\$19.50
Receipt Total.....		\$19.50

How Paid:	Payment Received From:	PHELPS DUNBAR, LLC						
Cash Amount:	this the	23 day of	May	A.D.,	2023	Dollars	\$19.50	
Check Amount:	\$19.50	#:	422					
Other Amount:	\$0.00							
By:	clakes	D.C.	Barbara Esters-Parker, Circuit Clerk					
